

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

AUTO-OWNERS INSURANCE )  
CO., )  
 )  
 Plaintiff, )  
 )  
 v. ) CIVIL ACTION NO.  
 )  
 JACK J. RUSCH, et al., ) 2:06cv123-MHT  
 ) (WO)  
 )  
 Defendants. )

JUDGMENT BY DEFAULT

In accordance with the memorandum opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of this court that:

(1) Plaintiff Auto-Owners Insurance Co.'s motion for entry of a default judgment (Doc. No. 19) is granted.

(2) Judgment is entered in favor of plaintiff Auto-Owners Insurance Co. and against defendant Jack J. Rusch.

(3) It is the DECLARATION of the court, with regard to the state-court lawsuit pending in the Circuit Court of Barbour County, Alabama, civil action no. CV-05-93, as follows:

- (a) That plaintiff Auto-Owners Insurance Co. does not owe insurance coverage to defendant Rusch for any of the claims or damages arising from the underlying state-court lawsuit;
- (b) That plaintiff Auto-Owners Insurance Co. has no duty to defend defendant Rusch or pay any damages arising out of the events alleged in the underlying state-court lawsuit; and
- (c) That plaintiff Auto-Owners Insurance Co. does not owe insurance coverage, a defense, or indemnity to defendant Rusch for any of the claims or damages set forth in the state-court lawsuit.

It is further ORDERED that costs are taxed against defendant Rusch, for which execution may issue.

It is further ORDERED that all other pending motions in this case are denied as moot.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 8th day of August, 2006.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE